

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

ROBERT WINNER, *et al.*,

:

Plaintiffs,

:

Case No.: 1:20-cv-3420

v.

:

KELCO FEDERAL CREDIT UNION

:

Defendant

:

**DEFENDANT’S SUPPLEMENTAL OPPOSITION TO MOTION FOR SANCTION OF
DEFAULT IN ACCORDANCE WITH COURT’S SEPTEMBER 2, 2021 ORDER
GRANTING PLAINTIFFS’ UNCONTESTED MOTION FOR SANCTIONS**

Defendant, Kelco Federal Credit Union (“Kelco”), by and through its counsel, Ashley L. Voli, Carly A. Chick, and Lewis Brisbois Bisgaard & Smith, LLP, files this Supplemental Opposition to Plaintiffs’ Motion for Sanction of Default in accordance with the Court’s September 2, 2021 Order granting Plaintiffs’ uncontested Motion for Sanctions, and in support thereof, states as follows:

1. On October 28, 2021, Kelco filed an Opposition to Plaintiff’s Motion for Sanction of Default, detailing the diligent discovery efforts that had been made since the recent involvement of undersigned counsel on behalf of Kelco, including regular communications with Plaintiff’s counsel and the production of 126 pages of emails.

2. In a continued good faith effort to comply with discovery since the retention of undersigned counsel, Kelco has informally produced a total of more than 1400 pages of documents to Plaintiff and a list identifying 12 individuals with balloon loan payments during the time period specified in Plaintiff’s discovery requests to Kelco.

3. Additionally, Kelco expects that its ongoing investigation of information and documents sought in discovery will be completed within the next week, at which time Kelco intends to formally supplement its discovery responses to Plaintiff.

4. Under the circumstances, Kelco respectfully requests that this Honorable Court take into consideration its continued diligent good faith discovery efforts and ongoing communications with Plaintiff's counsel, and that the Court deny Plaintiff's Motion for Sanction of Default, as no such sanctions are warranted in this situation.

Respectfully submitted,

/s/ Ashley L. Voli

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Attorneys for Kelco Federal Credit Union

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of November, 2021, a copy of the foregoing Supplemental Opposition to Motion for Sanction of Default in Accordance with the Court's September 2, 2021 Order Granting Plaintiffs' Uncontested Motion for Sanctions was served via-CMF/ECF to:

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